

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 6-27-03.

### I. DISPUTE

Whether there should be reimbursement for CPT code 22558-65 rendered on 7-2-02 in the amount of \$2660.00.

### II. FINDINGS

The insurance carrier filed a response on 7-17-03 stating that, "The Office will request an immediate re-audit and allow reimbursement of services per the Medical Fee Guideline plus accrued interest during the week of 07/21/03."

The Medical Review Division attempted to contact the requestor to verify payment had been made; however, the number listed on the TWCC-60 was invalid.

### III. RATIONALE

DOS	CPT CODE	Billed	Paid	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
7-2-02	22558-65	\$2660.00	\$0.00	F, A	\$2660.00 x 75% = \$1995.00	Modifier – 65 Surgery GR (1)(E)(2)(d)	Preauthorization was obtained on 4-30-02; therefore, the insurance carrier incorrectly denied reimbursement based upon "A."  Per the MFG, the requestor is entitled to reimbursement of \$1995.00.

### IV. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is or is not** entitled to reimbursement for CPT code 2258-65 in the amount of **\$ 1995.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$1995.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 06th day of February 2004.

Elizabeth Pickle  
Medical Dispute Resolution Officer  
Medical Review Division

Roy Lewis, Supervisor  
Medical Dispute Resolution  
Medical Review Division